PTO/SB/21 (04-04)

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DEMARY TRANSMITTAL			Application Number	10/812,6	19
			Filing Date	30 March	2004
FO			First Named Inventor	Po-Ying (	CHAN-HUI
(to be used for all correspondence after initial filing)			Art Unit	Not Yet A	ssigned
			Examiner Name	Not Yet A	ssigned
Total Number of Pages in T	his Submission		Attorney Docket Number	131.02US	
		ENCLO	SURES (check all that apply)		
Fee Transmittal Form		☐ Drawin	g(s)	_	Illowance Communication to ology Center (TC)
Fee Attached		Licensi	ng-related Papers		l Communication to Board of ls and Interferences
Amendment / Reply		Petition	1		I Communication to TC I Notice, Brief, Reply Brief)
After Final	·		n to Convert to a onal Application	Proprie	etary Information
Affidavits/declarati	on(s)		of Attorney, Revocation e of Correspondence Address	☐ Status	Letter
Extension of Time Request		al Disclaimer		Enclosure(s) identify below):	
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Information Disclosure	Statement				
Certified Copy of Prior Document(s)	ity	Rema	rks		
Response to Missing F Incomplete Application					
Response to Missing Parts under 37 CFR 1.52 or 1.53					
	SIGNA	TURE OF A	APPLICANT, ATTORNEY, O	R AGENT	
Firm or Individual name	phen C. Macevicz	, Registration I	No. 30,285		
Signature	fat	石:			
Date 11.	Date 11 June 2004				
	C	ERTIFICAT	E OF TRANSMISSION/MAI	LING	-
	orrespondence istage as first o	is being facs	imile transmitted to the USPTO an envelope addressed to: C	or deposited	
Typed or printed name	Virginia Griffit	h			
Signature	Virgini	n Shot	felk	Date	11 June 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



#### CERTIFCATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date.

Typed or printed name: Virginia Griffith

Date: 11 June 2004

Signature:

Case No. 131.02US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Po-Ying CHAN-HUI.

Serial No: 10/812,619

Filed: 30 March 2004

For: SURFACE RECEPTOR

**COMPLEXES AS BIOMARKERS** 

Vergenes Graffith

Customer No. 33,603

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

# INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on the accompanying PTO-1449 form(s) may be material to the examination of the above-identified application and are, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application. Copies of the cited references are enclosed or have been previously submitted in prior application(s) to the above application.

This Information Disclosure Statement under 37 CFR 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

#### SUBMISSION INFORMATION

This Information Disclosure Statement is being submitted within three (3) months of filing or before mailing of a first Office Action, whichever occurs last. (37 CFR 1.97(b))

# **PAYMENT OF FEES (IF ANY DUE)**

FEE AUTHORIZATION. The Commissioner is hereby authorized to withdraw from Deposit Account

50-2266

any submission fees or petition fees required for this Information Disclosure Statement.

Respectfully submitted,

Stephen C. Macevicz

Registration No. 30,285 (650) 210-1223 Direct Telephone \*650) 210-5959 Facsimile

Enclosures:

PTO Form 1449 w/copies of cited references

OILE		
Form PTO-1449 (adapted) 5 JUN 2 3 2004 L	Docket No. 131.02US	Serial No. 10/812,619
REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
PRADEMARIE	Filing Date 30 March 2004	Group Not Yet Assigned

### **U.S. PATENT DOCUMENTS**

Examiner's Initial		Document Number	Inventor(s)	Issue Date (publication date) (mm dd yyyy)	Class/Subclass	Filing Date (mm dd yyyy)
	P1	2002/0037542	ALLBRITTON	(03/28/2002)	435/7.23	05/17/2001
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	Р3	4,650,750	GIESE	03/17/1987	435/7	03/19/1984
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	P13	5,516,931	GIESE	05/14/1996	560/59	04/22/1993
	P14	5,536,834	SINGH	07/16/1996	544/98	06/06/1995
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	P18	5,602,273	GIESE	02/11/1997	560/60	02/08/1996
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EXAMINER Date considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609; Draw line through citation if not in conformance and/or not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (adapted)	Docket No. 131.02US	Serial No. 10/812,619
REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

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REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

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### ADDITIONAL U.S. PATENT DOCUMENTS

Examiner's Initial		Document Number	Inventor(s)	Class /Subclass	Title	Issue Date or Publ. Date (dd.mm.yy)
	PP1	2004/0018528	Morimoto	435/006	Novel biomarkers of tyrosine kinase inhibitor exposure and activity in mammals	29 Jan 04
	PP2	2003/0170734	Williams	435/7.1	Multiplexed assays using electrophoretically separated molecular tags	01 Apr 03
	PP3	2003/0207403	Paszty	435/69.1	Beta-like glycoprotein hormone polypeptide and heterodimer	06 Nov 03

EXAMINER Date considered

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REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

PP4	2003/0190689	Crosby	435/7.23	Molecular profiling of disease and therapeutic response using phosphospecific antibodies	09 Oct 03
PP5	2002/0172984	Holland	435/7.21	Oligomerized receptors which affect pathways regulated by transmembrane ligands for Elk-related receptor tyrosine kinases	21 Nov 02
PP6	2004/0033542	Frackelton	435/7.23	Shc protein-related methods and compositions for the prognosis of breast, prostate and ovarian cancer	19 Feb 04
PP7	2004/0023288	Ridder	435/6	Method for solution based diagnosis	05 Feb 04
PP8	2004/0029194	Parish	435/7.23	Method of identifying cancer markers and uses therefor in the diagnosis of cancer	12 Feb 04
PP9	2004/0018562	Rouhani	435/7.1	Receptor detection	29 Jan 04
PP10	Re. 35,491	Cline	435/6	Methods and compositions for detecting human tumors	08 Apr 97
PP11	5,968,511	Akita	424/141.1	ERBB3 Anitbodies	19 Oct 99
PP12	5,480,968	Kraus	530/326	Isolated Polypeptide ErbB-3, Related to the Epidermal Growth Factor Receptor and Antibody thereto	02 Jan 96
PP13	5,874,542	Rockwell	530/387.3	Single Chain Antibodies Specific to VEGF Receptors	23 Feb 99
PP14	6,383,740	Collins	435/5	Methods for Simultaneously Detecting Both Members of a Binding Pair	07 May 02
PP15	6,358,682	Jaffee	435/6	Method and Kit for the Prognostication of Breast Cancer	19 Mar 02
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PP17	6,388,063	Plowman	536/23.5	Diagnosis and Treatment of SAD Related Disorders	14 May 02
PP18	4,968,603	Slamon	435/6	Determination of Status in Neoplastic Disease	06 Nov 90
PP19	4,772,550	Greenquist	435/7	Heterogeneous Specific Binding Assay Employing an Aggregatable Binding Reagent	20 Sep 88
PP20	4,891,324	Pease	436/519	Particle with luminescer for assays	02 Jan 90

EXAMINER	Date considered

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REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

PP21	5,804,396	Plowman	435/7.23	Assay for Agents Active in Proliferative Disorders	08 Sep 98
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PP23	5,436,128	Harpold	435/6	Assay Methods and Compositions for Detecting and Evaluating the Intracellular Transduction of an Extracellular Signal	25 Jul 95
PP24	5,800,999	Bronstein	435/6	Dioxetane-precursor-labeled probes and detection assays employing the same	01 Sep 98
PP25	5,886,238	Schaap	568/650	Alkene precursors for preparing chemiluminescent dialkyl-substituted 1,2-dioxetane compounds	23 Mar 99
PP26	6,001,573	Roelant	435/6	Use of phorphyrins as a universal label	14 Dec 99
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PP30	6,627,400	Singh	435/6	Multiplexed Measurement of Membrane Protein Populations	30 Sep 03
PP31	6,417,168	Greene	514/44	Compositions and Methods of Treating Tumors	09 Jul 02
PP32	6,573,043	Cohen	435/6	Tissue Analysis and Kits therefor	03 Jun 03
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	F3*	WO	96/24061	ONTOGEN CORPORATION	08/08/1996

EXAMINER	Date considered
*FYAMINER: Initial if reference considered, whether or not citation in	conformance with MDED 600: Draw line through citation if not

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REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

-	F4*	WO	97/27325	DARWIN MOLECULAR CORPORATION	07/31/1997
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	F6*	WO	97/28275	IGEN INTERNATIONAL INC.	08/07/1997
	F7*	WO	98/01533	BURSTEIN LABORATORIES, INC.	01/15/1998
	F8*	WO	98/15830	WALLAC OY	04/16/1998
	F9*	WO	99/05319	RAPIGENE, INC.	02/04/1999
	F10*	WO	99/42838	DADE BEHRING INC.	08/26/1999
	F11*	wo	99/64519	AMERSHAM PHARMACIA BIOTECH UK LIMITED	12/16/1999
	F12*	WO	00/56925	ACLARA BIOSCIENCES, INC.	09/28/2000
	F13*	WO	00/66607	ACLARA BIOSCIENCES, INC.	11/09/2000

# ADDITIONAL FOREIGN PATENT DOCUMENTS

Examiner's Initial		Country and Document Number	Inventor	Title	Publication Date (dd-mm-yy)
	FF1	WO 2004/008099	Koll	Methods for Identifying Tumors that are Responisve to Treatment with Anti-ErbB2  Antibodies	22 Jan 04
	FF2	WO 2004/000102	Bacus	Method for Predicting Response to Epidermal Growth Factor Receptor-Directed Therapy	31 Dec 03
	FF3	WO 01/57530	Liotta	Method and Apparatus for Signal Transduction Pathway Profiling	09 Aug 01
	FF4	WO 93/06121	Dower	Method of Synthesizing Diverse Collections of Oligomers	01 Apr 93
	FF5	WO 97/00446	Landegren	Immunoassay and Kit with Two Reagents That Are Cross-Linked If They Adhere To an Analyte	03 Jan 97
	FF6	WO 98/42736	Hochstrasser	Diagnosis of Colorectal Cancer and Proteins and Antibodies for Use therein	01 Oct 98

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REFERENCES CITED BY APPLICANT	First Named Inventor Po-Ying CHAN-HUI	Customer No. 33603
	Filing Date 30 March 2004	Group Not Yet Assigned

FF7	WO 99/42838	Singh	Chemiluminescent Compositions for Use in Detection of Multiple Analytes	26 Aug 99
FF8	WO 03/045990	LeGrain	Protein-Protein Interactions Involving Transforming Growth Factor β Signaling or Involving Transduction Signals of Transforming Factor β Family Members	05 Jun 03
FF9	WO 2004/009798	Rich	Protein Interaction Difference Mapping	29 Jan 04

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	D4	Ahram, et al., "Proteomic Analysis of Human Prostate Cancer", Molecular Carcinogenesis, 2002, 33:9-15.
	D5	Albanell, et al., "Mechanism of Action of Anti-HER2 Monoclonal Antibodies: Scientific Update on Trastuzumab and 2C4", New Trends in Cancer for the 21st Century, 2003, 253-268.
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	D8	Angers, et al., "Dimerization: An Emerging Concept for G Protein-Coupled Receptor Ontogeny and Function", Annu. Rev. Pharmacol. Toxicol., 2002, 42:409-435.
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	D10	Arteaga, "Epidermal Growth Factor Receptor Dependence in Human Tumors: More Than Just Expression?", The Oncologist, 2002, 7:31-39.
	D11	Auerbach, et al., "Proteomic approaches for generating comprehensive protein interaction maps", Targets, 2003, 2:85-92.
	D12	Baselga, "Anti-EGFR therapy: A new targeted approach to cancer treatment", Oncology Biotherapeutics, 2002, 2:2-36.
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D14	Baselga, et al., "Mechanism of action of anti-HER2 monoclonal antibodies", Annals of Oncology, 2001, 12:S35-S41.	
D15	Bast, et al., "Coexpression of the HER-2 Gene Product, p185 <sup>HER-2</sup> , and Epidermal Growth Factor Receptor, p170 <sup>EGF-R</sup> , on Epithelial Ovarian and Normal Tissues", Hybridoma, 1998, 17:313-321.	
D16^	Beaudet, et al., "Homogenous Assays for Single-Nucleotide Polymorphism Typing Using AlphaScreen", Genome Research, 2001, 11:600-608.	
D17	Becker, "Signal transduction inhibitors-a work in progress", Nature Biotechnology, 2004, 22:15-18.	
D18	Bei, et al., "Co-localization of multiple ErbB receptors in stratified epithelium of oral squamous cell carcinoma", Journal of Pathology, 2001, 195:343-348.	
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D22	Blume-Jensen, et al., "Oncogenic kinase signalling", Nature, 2001, 411: 355-365.	
D23	Bodey, et al., "Clinical and Prognostic Significance of the Expression of the <i>c-erbB-2</i> and <i>c-erB-3</i> Oncoproteins in Primary and Metastatic Malignant Melanomas and Breast Carcinomas",  Anticancer Research, 1997, 17:1319-1330.	
D24	Bohula, et al., "Targeting the type 1 insulin-like growth factor receptor as anti-cancer treatment", Anti-Cancer Drugs, 2003, 14:669-682.	
D25	Brandt, et al., "c-erB-2/EGFR as dominant heterodimerization partners determine a motogenic phenotype in human breast cancer cells", The FASEB Journal, 1999, 13:1939-1949.	
D26	Brockhoff, et al., "Epidermal Growth Factor Receptor, c-erbB2 and c-erbB3 Receptor Interaction, and Related Cell Cycle Kinetics of SK-BR-3 and BT474 Breast Carcinoma Cells", Cytometry, 2001, 44:338-348.	
D27	Chow, et al., "Epression profiles of ErbB Family Receptors and Prognosis in Primary Transitional Cell Carcinoma of the Urninary Bladder", Clinical Cancer Research, 2001, 7:1957-1962.	
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D29	Dahan, et al., "Diffusion Dynamics of Glycine Receptors Revealed by Single-Quantum Dot Tracking", Science, 2003, 302:442-446.	
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D32	Dikic, "CIN85/CMS family of adaptor molecules", FEBS Letters, 2002, 529:110-115.	

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